Express Mail No. EV 292548330 US
Date of Deposit: July 14, 2003
Atty Docket No: C01039.70077.US

ATTORNEY'S DOCKET NO: C01039.70077.US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Arthur M. Krieg
Serial No:	Not Yet Assigned
Filed:	July 14, 2003
For:	IMMUNOSTIMULATORY NUCLEIC ACID MOLECULES
Examiner:	Not Yet Assigned
Art Unit:	Not yet Assigned

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 02213-1450

STATEMENT FILED PURSUANT TO THE DUTY OF DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed before the mailing of a First Office Action on the merits, and therefore, no fee is enclosed herewith.

PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

The Applicants hereby make the following additional information of record in the above-identified application:

The following are related pending U.S. non-provisional applications which do not appear on the 1449 form.

Serial No.	Filing Date
08/386,063	02/07/95
08/738,652	10/30/96
08/960,774	10/30/97
09/030,701	02/25/98
09/082,649	05/20/98
09/146,072	09/02/98
09/154,614	09/16/98
09/191,170	11/13/98
09/241,653	02/02/99
09/286,098	04/02/99
09/306,281	05/06/99
09/316,199	05/21/99
09/325,193	06/03/99
09/337,619	06/21/99
09/337,893	06/21/99
09/361,575	07/27/99

The following are related PCT Publications, published after the priority date (copies were provided in priority application):

WO 98/37919	09/03/98
WO 98/18810	05/07/98
WO 98/40100	09/17/98
WO 98/52581	11/26/98

The following are remarks concerning the other information cited:

PART III: Remarks

Documents cited on the attached form PTO-1449 (modified) are enclosed unless otherwise indicated on the attached form PTO-1449 (modified). It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;

2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;

3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

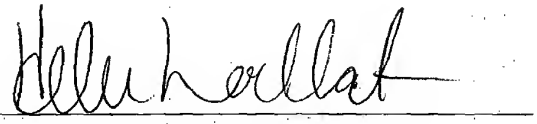
By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,

By: 

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Docket No. C01039.70077.US
Dated: July 14, 2003
x07/14/03

FORM PTO-1449 (Modified) LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	ATTY. DOCKET NO. C01039.70077.US	SERIAL NO Not Yet Assigned
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U.S. PATENT DOCUMENTS

Exam Init	Ref Des	Document No.	Date	Name	Class	Sub Class	FILING DATE If Appropriate
*		3,906,092	09/16/75	Hilleman et al.			
*		5,248,670	09/28/93	Draper et al.	514	44	
*		5,585,479	12/17/96	Hoke et al.	536	24.5	
*		5,663,153	09/02/97	Hutcherson et al.	514	44	
*		5,723,335	03/03/98	Hutcherson et al.	435	375	
*		5,786,189	07/28/98	Locht et al.	435	172.3	
*		5,849,719	12/15/98	Carson et al.	514	44	
*		6,498,148	12/24/02	Raz			

FOREIGN PATENT DOCUMENTS

		Country & Doc. No. (11)	Pub. Date (43)		Class	Sub Class	Translation Yes	Translation No
*		WO 91/12811	09/05/91	PCT	A61K	31/70		
*		0468520 A3	01/29/92	EPO	A61K	31/70		
*		WO 92/03456	03/05/92	PCT	C07H	15/12		
*		WO 92/18522	10/29/92	PCT	C07H	21/00		
*		WO 92/21353	12/10/92	PCT	A61K	31/70		
*		0302758 81	03/16/94	EPO	C12N	15/37		
*		WO 94/19945	09/15/94	PCT	A01N	43/04		
*		WO 95/05853	03/02/95	Regents of the University of CA				
*		WO 95/26204	10/95	PCT	A61K	48/00		
*		WO 96/02555	02/01/96	PCT				
*		WO 96/35782	11/14/96	Applied Research Systems				
*		WO 97/28259	08/07/97	PCT	C12N	15/00		
*		WO 98/18810	05/07/98	PCT	C07H	21/00		
*		WO 98/37919	09/03/98	PCT	A61K	49/00		
*		WO 98/40100	09/17/98	PCT	A61K	39/39		
*		WO 98/52581	11/26/98	PCT	A61K	35/00		
*		WO 98/14210	04/09/98	PCT	A61K	39/35		

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*		WO 98/16247	04/23/98	Regents of the University of CA				
*		WO 98/32462	07/30/98	Wagner et al.				
*		WO 98/49288	11/05/98	Hybridon, Inc.				
*		WO 98/55495	12/10/98	Dynavax Technologies Corp.				
*		WO 99/11275	03/11/99	Regents of the University of CA				

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(Including Author, Title, Date, Pertinent Pages, Publication, Etc.)

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* a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. 08/738,652, filed October 30, 1996, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

EXAMINER	DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered.

* a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. 09/337,636, filed June 21, 1999, and relied upon for an earlier filing date under 35 USC 120.